

FORM PTO-1390 (REV. 9-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
				8471-007-999
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/009874
INTERNATIONAL APPLICATION NO. PCT/US99/13024	INTERNATIONAL FILING DATE June 11, 1999		PRIORITY DATE CLAIMED	
TITLE OF INVENTION GENE AND PROTEIN SEQUENCES OF PHAGE T4 GENE 35				
APPLICANT(S) FOR DO/EO/US Edward B. Goldberg				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Appln. under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>				
Items 11 to 20 below concern document(s) or information included:				
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment with Exhibits A-D.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information:</p> <p>(1) copy of the PCT Written Opinion dated June 28, 2001, issued in connection with PCT/US99/13024 (attached to the enclosed Preliminary Amendment Under 37 C.F.R. § 1.115 as Exhibit C);</p> <p>(2) copy of the Reply to Written Opinion filed July 30, 2001 in connection with PCT/US99/13024 (attached to the enclosed Preliminary Amendment Under 37 C.F.R. § 1.115 as Exhibit D); and</p> <p>(3) Copy of WO 00/77196 A1, publication of PCT/US99/13024.</p>				

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10/009874		PCT/US99/13024																									
<p><input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p>		CALCULATIONS PTO USE ONLY																									
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 710.00																									
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>47 - 20 =</td> <td>27</td> <td>x \$18.00</td> <td>\$ 486.00</td> </tr> <tr> <td>Independent claims</td> <td>24 - 3 =</td> <td>21</td> <td>x \$84.00</td> <td>\$ 1,764.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td></td> <td>+ \$280.00</td> <td>\$ 280.00</td> </tr> <tr> <td colspan="2" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td></td> <td></td> <td style="text-align: center;">\$ 3,240.00</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	47 - 20 =	27	x \$18.00	\$ 486.00	Independent claims	24 - 3 =	21	x \$84.00	\$ 1,764.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$ 280.00	TOTAL OF ABOVE CALCULATIONS =				\$ 3,240.00	\$
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<p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p>		+ \$ 1,620.00																									
SUBTOTAL =		\$ 1,620.00																									
<p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p>		\$																									
TOTAL NATIONAL FEE =		\$ 1,620.00																									
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</p>		\$																									
TOTAL FEES ENCLOSED =		\$ 1,620.00																									
		Amount to be refunded: \$																									
		charged: \$																									
;																											
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>16-1150</u> in the amount of \$<u>1,620.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>16-1150</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>																											
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p>																											
<p>SEND ALL CORRESPONDENCE TO: Pennie & Edmonds LLP 1155 Avenue of the Americas New York, New York 10036</p>																											
<p><i>Adriane M. Antler</i> SIGNATURE Adriane M. Antler NAME 32,605</p>																											
<p>REGISTRATION NUMBER Date: December 11, 2001</p>																											